

its findings and recommendations, which shall be made available to the public and posted on the Internet.

SEC. 5. *General Provisions.* (a) The heads of executive departments and agencies shall assist and provide information to the Task Force, consistent with applicable law, as may be necessary to carry out the functions of the Task Force. Each executive department and agency shall bear its own expense for participating in the Task Force.

(b) Nothing in this memorandum shall be construed to impair or otherwise affect:

(i) authority granted by law to an executive department, agency, or the head thereof; or

(ii) functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(c) This memorandum shall be implemented consistent with applicable law and subject to the availability of appropriations.

(d) This memorandum is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

SEC. 6. *Publication.* The Secretary of Labor is authorized and directed to publish this memorandum in the Federal Register.

BARACK OBAMA.

§ 101. Commencement of term of office

The term of four years for which a President and Vice President shall be elected, shall, in all cases, commence on the 20th day of January next succeeding the day on which the votes of the electors have been given.

(June 25, 1948, ch. 644, 62 Stat. 678.)

SHORT TITLE OF 2000 AMENDMENT

Pub. L. 106-293, §1, Oct. 12, 2000, 114 Stat. 1035, provided that: “This Act [amending provisions set out as a note under section 102 of this title] may be cited as the ‘Presidential Transition Act of 2000’.”

DWIGHT D. EISENHOWER EXECUTIVE OFFICE BUILDING

Pub. L. 106-92, Nov. 9, 1999, 113 Stat. 1309, provided that:

“SECTION 1. DESIGNATION OF DWIGHT D. EISENHOWER EXECUTIVE OFFICE BUILDING.

“The Old Executive Office Building located at 17th Street and Pennsylvania Avenue, NW, in Washington, District of Columbia, shall be known and designated as the ‘Dwight D. Eisenhower Executive Office Building’.

“SEC. 2. REFERENCES.

“Any reference in a law, map, regulation, document, paper, or other record of the United States to the building referred to in section 1 shall be deemed to be a reference to the ‘Dwight D. Eisenhower Executive Office Building’.”

Pub. L. 100-461, title V, §590, Oct. 1, 1988, 102 Stat. 2268-52, as amended by Pub. L. 106-92, §2, Nov. 9, 1999, 113 Stat. 1309, provided that:

“(a) ACCEPTANCE OF GIFTS OF MONEY AND PROPERTY.—The Director of the Office of Administration is authorized to—

“(1) accept, hold, administer, utilize and sell gifts and bequests of property, both real and personal, and loans of personal property other than money; and

“(2) accept and utilize voluntary and uncompensated services;

for the purpose of aiding, benefiting, or facilitating the work of preservation, restoration, renovation, rehabilitation, or historic furnishing of the Dwight D. Eisenhower Executive Office Building and the grounds thereof.

“(b) ESTABLISHMENT OF FUND.—There is established in the Treasury a fund for use in accordance with the

provisions of this section. Amounts of money and proceeds from the sale of property accepted under subsection (a) shall be deposited in the fund, which shall be available to the Director of the Office of Administration. Such funds shall be held in trust by the Secretary of the Treasury.

“(c) USE OF FUND.—Property accepted pursuant to this section or the proceeds from the sale thereof, shall be used as nearly as possible in accordance with the terms of the gift or bequest. Any use or sale of property accepted pursuant to this section, and any use of proceeds from such sale, shall be subject to the disapproval of the Administrator of General Services within 30 days after the Administrator receives notice of such use or sale. The Director of the Office of Administration shall not accept any gift under this section that is expressly conditioned on any expenditure not to be met from the gift itself unless such expenditure has been approved by an Act of Congress.

“(d) TAXES.—For the purpose of the Federal income, estate, and gift tax laws, property accepted under this section shall be considered as a gift, bequest, or devise to the United States.”

PRESIDENT’S ADVISORY COMMISSION ON PRESIDENTIAL OFFICE SPACE

Act Aug. 3, 1956, ch. 925, 70 Stat. 979, as amended by Pub. L. 85-3, Jan. 25, 1957, 71 Stat. 4, created a President’s Advisory Commission on Presidential Office Space to study the problem of providing more adequate office space for the White House Office and the other agencies of the Executive Office of the President. Pursuant to section 1(b) of act Aug. 3, 1956, the Commission was required to report to the President its findings and recommendations within 10 months after Aug. 3, 1956, and section 2(g) of act Aug. 3, 1956, provided that the Commission should cease to exist 30 days after the submission of its final report.

§ 102. Compensation of the President

The President shall receive in full for his services during the term for which he shall have been elected compensation in the aggregate amount of \$400,000 a year, to be paid monthly, and in addition an expense allowance of \$50,000 to assist in defraying expenses relating to or resulting from the discharge of his official duties. Any unused amount of such expense allowance shall revert to the Treasury pursuant to section 1552 of title 31, United States Code. No amount of such expense allowance shall be included in the gross income of the President. He shall be entitled also to the use of the furniture and other effects belonging to the United States and kept in the Executive Residence at the White House.

(June 25, 1948, ch. 644, 62 Stat. 678; Jan. 19, 1949, ch. 2, §1(a), 63 Stat. 4; Oct. 20, 1951, ch. 521, title VI, §619(a), 65 Stat. 569; Pub. L. 91-1, §1, Jan. 17, 1969, 83 Stat. 3; Pub. L. 95-570, §5(a), Nov. 2, 1978, 92 Stat. 2450; Pub. L. 106-58, title VI, §644(a), Sept. 29, 1999, 113 Stat. 478; Pub. L. 108-199, div. F, title III, §301, Jan. 23, 2004, 118 Stat. 326.)

AMENDMENTS

2004—Pub. L. 108-199 substituted “. Any unused amount of such expense allowance shall revert to the Treasury pursuant to section 1552 of title 31, United States Code. No amount of such expense allowance shall be included in the gross income of the President.” for “, for which expense allowance no accounting, other than for income tax purposes, shall be made by him.”

1999—Pub. L. 106-58 substituted “\$400,000” for “\$200,000”.

1978—Pub. L. 95-570 substituted “Executive Residence at the White House” for “Executive Mansion”.

1969—Pub. L. 91-1 substituted “\$200,000” for “\$100,000”.

1951—Act Oct. 20, 1951, made President’s expense allowance taxable.

1949—Act Jan. 19, 1949, increased salary from \$75,000 to \$100,000 per year, and gave President a yearly expense account of \$50,000 for which he was to make no accounting and which was tax free.

EFFECTIVE DATE OF 1999 AMENDMENT

Pub. L. 106-58, title VI, §644(b), Sept. 29, 1999, 113 Stat. 478, provided that: “The amendment made by this section [amending this section] shall take effect at noon on January 20, 2001.”

EFFECTIVE DATE OF 1978 AMENDMENT

Section 6(a) of Pub. L. 95-570 provided that: “The amendments made by this Act [enacting sections 107, 108, 112, 113, and 114 of this title, amending sections 102, 103, 105, 106, 109, 110, and 202 of this title, repealing section 107 of this title, and enacting provisions set out as a note under section 107 of this title] shall apply to any fiscal year which begins on or after October 1, 1978.”

EFFECTIVE DATE OF 1969 AMENDMENT

Section 2 of Pub. L. 91-1 provided that: “The amendment made by this Act [amending this section] shall take effect at noon on January 20, 1969.”

EFFECTIVE DATE OF 1951 AMENDMENT

Section 619(e) of act Oct. 20, 1951, provided that: “The amendments made by subsections (a) and (b) of this section [amending this section and section 111 of this title] shall become effective at noon on January 20, 1953, and the amendments made by subsections (c) and (d) [amending sections 31a and 31b of Title 2, The Congress] shall become effective at noon on January 3, 1953.”

EFFECTIVE DATE OF 1949 AMENDMENT

Amendment by act Jan. 19, 1949, effective noon, Jan. 19, 1949, see section 3 of that act.

DISCLOSURE OF IN-KIND CONTRIBUTIONS TO 1988-1989 TRANSITION

Pub. L. 100-398, §5, Aug. 17, 1988, 102 Stat. 987, provided that:

“(a) DISCLOSURE AS CONDITION OF RECEIPT OF FUNDS.—The President-elect and Vice-President-elect (as a condition for receiving services under section 3 and for funds provided under section 6(a)(1) of the Presidential Transition Act of 1963 [Pub. L. 88-277] (3 U.S.C. 102 note) shall provide an estimate to the Administrator of General Services of the aggregate value of in-kind contributions made during the period beginning on November 9, 1988, through January 20, 1989, received for transition activities for—

“(1) transportation;

“(2) hotel and other accommodations;

“(3) suitable office space; and

“(4) furniture, furnishings, office machines and equipment, and office supplies.

“(b) FORM AND AVAILABILITY OF ESTIMATES.—The estimates made under subsection (a) shall be—

“(1) in the form of a report to the Administrator of General Services within 90 days after January 20, 1989; and

“(2) made available to the public by the Administrator upon receipt by the Administrator.”

PRESIDENTIAL TRANSITION ACT OF 1963

Pub. L. 88-277, Mar. 7, 1964, 78 Stat. 153, as amended by Pub. L. 94-499, §§1, 2, Oct. 14, 1976, 90 Stat. 2380; Pub. L. 100-398, §§2(a), 3, 4, Aug. 17, 1988, 102 Stat. 985, 986; Pub. L. 106-293, §2, Oct. 12, 2000, 114 Stat. 1035; Pub. L. 108-271, §8(b), July 7, 2004, 118 Stat. 814; Pub. L. 108-458,

title VII, §7601(a), Dec. 17, 2004, 118 Stat. 3856, provided: “That this Act may be cited as the ‘Presidential Transition Act of 1963.’

“PURPOSE OF THIS ACT

“SEC. 2. The Congress declares it to be the purpose of this Act to promote the orderly transfer of the executive power in connection with the expiration of the term of office of a President and the inauguration of a new President. The national interest requires that such transitions in the office of President be accomplished so as to assure continuity in the faithful execution of the laws and in the conduct of the affairs of the Federal Government, both domestic and foreign. Any disruption occasioned by the transfer of the executive power could produce results detrimental to the safety and well-being of the United States and its people. Accordingly, it is the intent of the Congress that appropriate actions be authorized and taken to avoid or minimize any disruption. In addition to the specific provisions contained in this Act directed toward that purpose, it is the intent of the Congress that all officers of the Government so conduct the affairs of the Government for which they exercise responsibility and authority as (1) to be mindful of problems occasioned by transitions in the office of President, (2) to take appropriate lawful steps to avoid or minimize disruptions that might be occasioned by the transfer of the executive power, and (3) otherwise to promote orderly transitions in the office of President.

“SERVICES AND FACILITIES AUTHORIZED TO BE PROVIDED TO PRESIDENTS-ELECT AND VICE-PRESIDENTS-ELECT

“SEC. 3. (a) The Administrator of General Services, referred to hereafter in this Act as ‘the Administrator,’ is authorized to provide, upon request, to each President-elect and each Vice-President-elect, for use in connection with his preparations for the assumption of official duties as President or Vice President necessary services and facilities, including the following:

“(1) Suitable office space appropriately equipped with furniture, furnishings, office machines and equipment, and office supplies, as determined by the Administrator, after consultation with the President-elect, the Vice-President-elect, or their designee provided for in subsection (e) of this section, at such place or places within the United States as the President-elect or Vice-President-elect shall designate.

“(2) Payment of the compensation of members of office staffs designated by the President-elect or Vice-President-elect at rates determined by them not to exceed the rate provided by the Classification Act of 1949, as amended [chapter 51 and subchapter III of chapter 53 of title 5], for grade GS-18: *Provided*, That any employee of any agency of any branch of the Government may be detailed to such staffs on a reimbursable basis with the consent of the head of the agency; and while so detailed such employee shall be responsible only to the President-elect or Vice-President-elect for the performance of his duties: *Provided further*, That any employee so detailed shall continue to receive the compensation provided pursuant to law for his regular employment, and shall retain the rights and privileges of such employment without interruption. Notwithstanding any other law, persons receiving compensation as members of office staffs under this subsection, other than those detailed from agencies, shall not be held or considered to be employees of the Federal Government except for purposes of the Civil Service Retirement Act [section 8301 et seq. of title 5], the Federal Employees’ Compensation Act [section 8501 et seq. of title 5], the Federal Employees’ Group Life Insurance Act of 1954 [section 8701 et seq. of title 5], and the Federal Employees Health Benefits Act of 1959 [section 8901 et seq. of title 5].

“(3) Payment of expenses for the procurement of services of experts or consultants or organizations thereof for the President-elect or Vice-President-

elect, as authorized for the head of any department by section 15 of the Administrative Expenses Act of 1946, as amended (5 U.S.C. 55a) [section 3109 of title 5].

“(4)(A) Payment of travel expenses and subsistence allowances, including rental of Government or hired motor vehicles, found necessary by the President-elect or Vice-President-elect, as authorized for persons employed intermittently or for persons serving without compensation by section 5 of the Administrative Expenses Act of 1946, as amended (5 U.S.C. 73b-2) [section 5703 of title 5], as may be appropriate;

“(B) When requested by the President-elect or Vice-President-elect or their designee, and approved by the President, Government aircraft may be provided for transition purposes on a reimbursable basis; when requested by the President-elect, the Vice-President-elect, or the designee of the President-elect or Vice-President-elect, aircraft may be chartered for transition purposes; and any collections from the Secret Service, press, or others occupying space on chartered aircraft shall be deposited to the credit of the appropriations made under section 6 of this Act.

“(5) Communications services found necessary by the President-elect or Vice-President-elect.

“(6) Payment of expenses for necessary printing and binding, notwithstanding the Act of January 12, 1895, and the Act of March 1, 1919, as amended (44 U.S.C. 111) [section 501 of title 44].

“(7) Reimbursement to the postal revenues in amounts equivalent to the postage that would otherwise be payable on mail matter referred to in subsection (d) of this section.

“(8)(A)(i) Notwithstanding subsection (b), payment of expenses during the transition for briefings, workshops, or other activities to acquaint key prospective Presidential appointees with the types of problems and challenges that most typically confront new political appointees when they make the transition from campaign and other prior activities to assuming the responsibility for governance after inauguration.

“(ii) Activities under this paragraph may include interchange between such appointees and individuals who—

“(I) held similar leadership roles in prior administrations;

“(II) are department or agency experts from the Office of Management and Budget or an Office of Inspector General of a department or agency; or

“(III) are relevant staff from the Government Accountability Office.

“(iii) Activities under this paragraph may include training or orientation in records management to comply with section 2203 of title 44, United States Code, including training on the separation of Presidential records and personal records to comply with subsection (b) of that section.

“(iv) Activities under this paragraph may include training or orientation in human resources management and performance-based management.

“(v) Activities under this paragraph shall include the preparation of a detailed classified, compartmented summary by the relevant outgoing executive branch officials of specific operational threats to national security; major military or covert operations; and pending decisions on possible uses of military force. This summary shall be provided to the President-elect as soon as possible after the date of the general elections held to determine the electors of President and Vice President under section 1 or 2 of title 3, United States Code.

“(B) Activities under this paragraph shall be conducted primarily for individuals the President-elect intends to nominate as department heads or appoint to key positions in the Executive Office of the President.

“(9)(A) Notwithstanding subsection (b), development of a transition directory by the Administrator of General Services Administration, in consultation with the Archivist of the United States (head of the National Archives and Records Administration) for activities conducted under paragraph (8).

“(B) The transition directory shall be a compilation of Federal publications and materials with supplementary materials developed by the Administrator that provides information on the officers, organization, and statutory and administrative authorities, functions, duties, responsibilities, and mission of each department and agency.

“(10)(A) Notwithstanding subsection (b), consultation by the Administrator with any candidate for President or Vice President to develop a systems architecture plan for the computer and communications systems of the candidate to coordinate a transition to Federal systems, if the candidate is elected.

“(B) Consultations under this paragraph shall be conducted at the discretion of the Administrator.

“(b) The Administrator may not expend funds for the provision of services and facilities under section 3 of this Act in connection with any obligations incurred by the President-elect or Vice-President-elect—

“(1) before the day following the date of the general elections held to determine the electors of President and Vice President under section 1 or 2 of title 3, United States Code; or

“(2) after 30 days after the date of the inauguration of the President-elect as President and the inauguration of the Vice-President-elect as Vice President.

“(c) The terms ‘President-elect’ and ‘Vice-President-elect’ as used in this Act shall mean such persons as are the apparent successful candidates for the office of President and Vice President, respectively, as ascertained by the Administrator following the general elections held to determine the electors of President and Vice President in accordance with title 3, United States Code, sections 1 and 2.

“(d) Each President-elect shall be entitled to conveyance within the United States and its territories and possessions of all mail matter, including airmail, sent by him in connection with his preparations for the assumption of official duties as President, and such mail matter shall be transmitted as penalty mail as provided in title 39, United States Code, section 4152 [now section 3202 of title 39]. Each Vice-President-elect shall be entitled to conveyance within the United States and its territories and possessions of all mail matter, including airmail, sent by him under his written autograph signature in connection with his preparations for the assumption of official duties as Vice President.

“(e) Each President-elect and Vice-President-elect may designate to the Administrator an assistant authorized to make on his behalf such designations or findings of necessity as may be required in connection with the services and facilities to be provided under this Act. Not more than 10 per centum of the total expenditures under this Act for any President-elect or Vice-President-elect may be made upon the basis of a certificate by him or the assistant designated by him pursuant to this section that such expenditures are classified and are essential to the national security, and that they accord with the provisions of subsections (a), (b), and (d) of this section.

“(f)(1) The President-elect should submit to the Federal Bureau of Investigation or other appropriate agency and then, upon taking effect and designation, to the agency designated by the President under section 115(b) of the National Intelligence Reform Act of 2004 [probably should be section 3001(c) of Pub. L. 108-458, 50 U.S.C. 435b(c)], the names of candidates for high level national security positions through the level of undersecretary of cabinet departments as soon as possible after the date of the general elections held to determine the electors of President and Vice President under section 1 or 2 of title 3, United States Code.

“(2) The responsible agency or agencies shall undertake and complete as expeditiously as possible the background investigations necessary to provide appropriate security clearances to the individuals who are candidates described under paragraph (1) before the date of the inauguration of the President-elect as President and the inauguration of the Vice-President-elect as Vice President.

“(g) In the case where the President-elect is the incumbent President or in the case where the Vice-President-elect is the incumbent Vice President, there shall be no expenditures of funds for the provision of services and facilities to such incumbent under this Act, and any funds appropriated for such purposes shall be returned to the general funds of the Treasury.

“SERVICES AND FACILITIES AUTHORIZED TO BE PROVIDED TO FORMER PRESIDENTS AND FORMER VICE PRESIDENTS

“SEC. 4. The Administrator is authorized to provide, upon request, to each former President and each former Vice President, for a period not to exceed seven months from 30 days before the date of the expiration of his term of office as President or Vice President, for use in connection with winding up the affairs of his office, necessary services and facilities of the same general character as authorized by this Act to be provided to Presidents-elect and Vice-Presidents-elect. Any person appointed or detailed to serve a former President or former Vice President under authority of this section shall be appointed or detailed in accordance with, and shall be subject to, all of the provisions of section 3 of this Act applicable to persons appointed or detailed under authority of that section. The provisions of the Act of August 25, 1958 (72 Stat. 838; 3 U.S.C. 102, note), other than subsections (a) and (e) shall not become effective with respect to a former President until six months after the expiration of his term of office as President.

“DISCLOSURES OF FINANCING AND PERSONNEL;
LIMITATION ON ACCEPTANCE OF DONATIONS

“SEC. 5. (a)(1) The President-elect and Vice-President-elect (as a condition for receiving services under section 3 and for funds provided under section 6(a)(1)) shall disclose to the Administrator the date of contribution, source, amount, and expenditure thereof of all money, other than funds from the Federal Government, and including currency of the United States and of any foreign nation, checks, money orders, or any other negotiable instruments payable on demand, received either before or after the date of the general elections for use in the preparation of the President-elect or Vice-President-elect for the assumption of official duties as President or Vice President.

“(2) The President-elect and Vice-President-elect (as a condition for receiving such services and funds) shall make available to the Administrator and the Comptroller General all information concerning such contributions as the Administrator or Comptroller General may require for purposes of auditing both the public and private funding used in the activities authorized by this Act.

“(3) Disclosures made under paragraph (1) shall be—

“(A) in the form of a report to the Administrator within 30 days after the inauguration of the President-elect as President and the Vice-President-elect as Vice President; and

“(B) made available to the public by the Administrator upon receipt by the Administrator.

“(b)(1) The President-elect and Vice-President-elect (as a condition for receiving services provided under section 3 and funds provided under section 6(a)(1)) shall make available to the public—

“(A) the names and most recent employment of all transition personnel (full-time or part-time, public or private, or volunteer) who are members of the President-elect or Vice-President-elect's Federal department or agency transition teams; and

“(B) information regarding the sources of funding which support the transition activities of each transition team member.

“(2) Disclosures under paragraph (1) shall be made public before the initial transition team contact with a Federal department or agency and shall be updated as necessary.

“(c) The President-elect and Vice-President-elect (as a condition for receiving services under section 3 and

for funds provided under section 6(a)(1)) shall not accept more than \$5,000 from any person, organization, or other entity for purposes of carrying out activities authorized by this Act.

“AUTHORIZATION OF APPROPRIATIONS

“SEC. 6. (a) There are hereby authorized to be appropriated to the Administrator such funds as may be necessary for carrying out the purposes of this Act, except that with respect to any one Presidential transition—

“(1) not more than \$3,500,000 may be appropriated for the purposes of providing services and facilities to the President-elect and Vice President-elect under section 3, and

“(2) not more than \$1,500,000 may be appropriated for the purposes of providing services and facilities to the former President and former Vice President under section 4, except that any amount appropriated pursuant to this paragraph in excess of \$1,250,000 shall be returned to the general fund of the Treasury in the case where the former Vice President is the incumbent President.

The President shall include in the budget transmitted to Congress, for each fiscal year in which his regular term of office will expire, a proposed appropriation for carrying out the purposes of this Act.

“(b) The amounts authorized to be appropriated under subsection (a) shall be increased by an inflation adjusted amount, based on increases in the cost of transition services and expenses which have occurred in the years following the most recent Presidential transition, and shall be included in the proposed appropriation transmitted by the President under the last sentence of subsection (a).”

[Pub. L. 108-458, title VII, §7601(d), Dec. 17, 2004, 118 Stat. 3858, provided that: “Notwithstanding section 351 [Pub. L. 108-458 does not contain a section 351], this section [enacting provisions set out as a note under section 435b of Title 50, War and National Defense, and amending section 3 of Pub. L. 88-277, set out above] and the amendments made by this section shall take effect on the date of enactment of this Act [Dec. 17, 2004].”]

[Pub. L. 100-398, §2(b), Aug. 17, 1988, 102 Stat. 985, provided that: “The amendments made by subsection (a) of this section [renumbering and amending section 6 of Pub. L. 88-277, set out above] shall be effective upon enactment [Aug. 17, 1988], except that the amendment made by paragraph (7) of such subsection [enacting subsection (b) of section 6 of Pub. L. 88-277, set out above] shall take effect on October 1, 1989.”]

[Pub. L. 94-499, §3, Oct. 14, 1976, 90 Stat. 2380, provided that amendment of section 5 of Pub. L. 88-277 [set out above] by section 1 of Pub. L. 94-499, respecting revision of appropriation authorization, shall be effective Oct. 14, 1976.]

[For transfer of the functions, personnel, assets, and obligations of the United States Secret Service, including the functions of the Secretary of the Treasury relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see sections 381, 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.]

[References in laws to the rates of pay for GS-16, 17, or 18, or to maximum rates of pay under the General Schedule, to be considered references to rates payable under specified sections of Title 5, Government Organization and Employees, see section 529 [title I, §101(c)(1)] of Pub. L. 101-509, set out in a note under section 5376 of Title 5.]

EXPENSE ALLOWANCE: USE; REVERSION OF UNEXPENDED PORTION; NONTAXABLE

Provisions prohibiting expenditure of funds made available for official expenses for any other purpose and requiring reversion of any unused amount to the Treasury pursuant to 31 U.S.C. 1552 were contained in a paragraph under the headings “EXECUTIVE OFFICE

OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT” and “COMPENSATION OF THE PRESIDENT” in the Executive Office of the President Appropriations Act, 2006, Pub. L. 109-115, div. A, title V, Nov. 30, 2005, 119 Stat. 2472, and were repeated in provisions of subsequent appropriations acts which are not set out in the Code. Similar provisions were also contained in the following prior appropriation acts:

Pub. L. 108-447, div. H, title III, Dec. 8, 2004, 118 Stat. 3246.

Pub. L. 108-199, div. F, title III, Jan. 23, 2004, 118 Stat. 321.

Pub. L. 108-7, div. J, title III, Feb. 20, 2003, 117 Stat. 442.

Pub. L. 107-67, title III, Nov. 12, 2001, 115 Stat. 526.

Pub. L. 106-554, §1(a)(3) [title III], Dec. 21, 2000, 114 Stat. 2763, 2763A-136.

Pub. L. 106-58, title III, Sept. 29, 1999, 113 Stat. 444.

Pub. L. 105-277, div. A, title I, §101(h) [title III], Oct. 21, 1998, 112 Stat. 2681-480, 2681-492.

Pub. L. 105-61, title III, Oct. 10, 1997, 111 Stat. 1290.

Pub. L. 104-208, div. A, title I, §101(f) [title III], Sept. 30, 1996, 110 Stat. 3009-314, 3009-326.

Pub. L. 104-52, title III, Nov. 19, 1995, 109 Stat. 477.

Pub. L. 103-329, title III, Sept. 30, 1994, 108 Stat. 2392.

Pub. L. 103-123, title III, Oct. 28, 1993, 107 Stat. 1235.

Pub. L. 102-393, title III, Oct. 6, 1992, 106 Stat. 1738.

Pub. L. 102-141, title III, Oct. 28, 1991, 105 Stat. 844.

Pub. L. 101-509, title III, Nov. 5, 1990, 104 Stat. 1399.

Pub. L. 101-136, title III, Nov. 3, 1989, 103 Stat. 790.

Pub. L. 100-440, title III, Sept. 22, 1988, 102 Stat. 1728.

Pub. L. 100-202, §101(m) [title III], Dec. 22, 1987, 101 Stat. 1329-390, 1329-398.

Pub. L. 99-500, §101(m) [title III], Oct. 18, 1986, 100 Stat. 1783-308, 1783-315, and Pub. L. 99-591, §101(m) [title III, §301], Oct. 30, 1986, 100 Stat. 3341-308, 3341-315.

Pub. L. 99-190, §101(h) [H.R. 3036, title III], Dec. 19, 1985, 99 Stat. 1291.

Pub. L. 98-473, §101(j) [H.R. 5798, title III], Oct. 12, 1984, 98 Stat. 1963.

Pub. L. 98-151, §101(f) [H.R. 4139, title III], Nov. 14, 1983, 97 Stat. 973.

Pub. L. 97-377, title I, §101(a) [incorporating H.R. 4121, title III, for FY 1982], Dec. 21, 1982, 96 Stat. 1830.

Pub. L. 97-92, §101(a) [H.R. 4121, title III], Dec. 15, 1981, 95 Stat. 1183.

Pub. L. 96-536, §101(a) [incorporating Pub. L. 96-74, title III], Dec. 16, 1980, 94 Stat. 3166.

Pub. L. 96-74, title III, Sept. 29, 1979, 93 Stat. 563.

FORMER PRESIDENTS; ALLOWANCE; SELECTION, COMPENSATION, AND STATUS OF OFFICE STAFF; OFFICE SPACE; WIDOW'S ALLOWANCE, TERMINATION; “FORMER PRESIDENT” DEFINED

Pub. L. 85-745, Aug. 25, 1958, 72 Stat. 838, as amended by Pub. L. 86-682, §12(c), Sept. 2, 1960, 74 Stat. 730; Pub. L. 88-426, title I, §124, Aug. 14, 1964, 78 Stat. 412; Pub. L. 89-554, §8(a), Sept. 6, 1966, 80 Stat. 660; Pub. L. 90-206, title II, §224(c), Dec. 16, 1967, 81 Stat. 642; Pub. L. 91-231, §7, Apr. 15, 1970, 84 Stat. 198; Pub. L. 91-658, §6, Jan. 8, 1971, 84 Stat. 1963; Pub. L. 95-138, §1, Oct. 18, 1977, 91 Stat. 1170; Pub. L. 103-123, title IV, §6(a), Oct. 28, 1993, 107 Stat. 1246; Pub. L. 103-329, title V, §531, Sept. 30, 1994, 108 Stat. 2413; Pub. L. 104-52, title V, §523, Nov. 19, 1995, 109 Stat. 495; Pub. L. 105-61, title IV, §409(a), Oct. 10, 1997, 111 Stat. 1299; Pub. L. 108-447, div. H, title V, §526, Dec. 8, 2004, 118 Stat. 3271, provided that:

“(a) Each former President shall be entitled for the remainder of his life to receive from the United States a monetary allowance at a rate per annum, payable monthly by the Secretary of the Treasury, which is equal to the annual rate of basic pay, as in effect from time to time, of the head of an executive department, as defined in section 101 of title 5, United States Code. However, such allowance shall not be paid for any period during which such former President holds an appointive or elective office or position in or under the Federal Government or the government of the District of Columbia to which is attached a rate of pay other than a nominal rate.

“(b) The Administrator of General Services shall, without regard to the civil-service and classification laws, provide for each former President an office staff. Persons employed under this subsection shall be selected by the former President and shall be responsible only to him for the performance of their duties. Each former President shall fix basic rates of compensation for persons employed for him under this paragraph which in the aggregate shall not exceed \$96,000 per annum except that for the first 30-month period during which a former President is entitled to staff assistance under this subsection, such rates of compensation in the aggregate shall not exceed \$150,000 per annum. The annual rate of compensation payable to any such person shall not exceed the highest annual rate of basic pay now or hereafter provided by law for positions at level II of the Executive Schedule under section 5313 of title 5, United States Code. Amounts provided for ‘Allowances and Office Staff for Former Presidents’ may be used to pay fees of an independent contractor who is not a member of the staff of the office of a former President for the review of Presidential records of a former President in connection with the transfer of such records to the National Archives and Records Administration or a Presidential Library without regard to the limitation on staff compensation set forth herein.

“(c) The Administrator of General Services shall furnish for each former President suitable office space appropriately furnished and equipped, as determined by the Administrator, at such place within the United States as the former President shall specify.

“(d) [Repealed. Pub. L. 86-682, §12(c), Sept. 2, 1960, 74 Stat. 730. See sections 3214 and 3216 of title 39.]

“(e) The widow of each former President shall be entitled to receive from the United States a monetary allowance at a rate of \$20,000 per annum, payable monthly by the Secretary of the Treasury, if such widow shall waive the right to each other annuity or pension to which she is entitled under any other Act of Congress. The monetary allowance of such widow—

“(1) commences on the day after the former President dies;

“(2) terminates on the last day of the month before such widow—

“(A) dies; or

“(B) remarries before becoming 60 years of age; and

“(3) is not payable for any period during which such widow holds an appointive or elective office or position in or under the Federal Government or the government of the District of Columbia to which is attached a rate of pay other than a nominal rate.

“(f) As used in this section, the term ‘former President’ means a person—

“(1) who shall have held the office of President of the United States of America;

“(2) whose service in such office shall have terminated other than by removal pursuant to section 4 of article II of the Constitution of the United States of America; and

“(3) who does not then currently hold such office.

“(g) There are authorized to be appropriated to the Administrator of General Services up to \$1,000,000 for each former President and up to \$500,000 for the spouse of each former President each fiscal year for security and travel related expenses: *Provided*, That under the provisions set forth in section 3056, paragraph (a), subparagraph (3) of title 18, United States Code, the former President and/or spouse was not receiving protection for a lifetime provided by the United States Secret Service under section 3056 paragraph (a) subparagraph (3) of title 18, United States Code; the protection provided by the United States Secret Service expired at its designated time; or the protection provided by the United States Secret Service was declined prior to authorized expiration in lieu of these funds.”

[Pub. L. 95-138, §2, Oct. 18, 1977, 91 Stat. 1170, provided that: “The amendment made by the first section of this Act [amending Pub. L. 87-745, set out above] shall take effect October 1, 1977.”]

[For transfer of the functions, personnel, assets, and obligations of the United States Secret Service, including the functions of the Secretary of the Treasury relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see sections 381, 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.]

FORMER PRESIDENT EISENHOWER; ALLOWANCE;
COMPENSATION OF OFFICE STAFF; WIDOW'S PENSION

Allowance to former President Eisenhower as precluding entitlement to pay of General of the Army, compensation of office staff to former President to be reduced by pay of military assistants to the General of the Army, and benefits of widow of former President unaffected by restoration of military status, see Appointment of General of the Army note under former sections 1691 to 1697 of Title 50, Appendix, War and National Defense.

§ 103. Traveling expenses

There may be expended for or on account of the traveling expenses of the President of the United States such sum as Congress may from time to time appropriate, not exceeding \$100,000 per annum, such sum when appropriated to be expended in the discretion of the President and accounted for on his certificate solely.

(June 25, 1948, ch. 644, 62 Stat. 678; Pub. L. 95-570, § 4, Nov. 2, 1978, 92 Stat. 2450.)

AMENDMENTS

1978—Pub. L. 95-570 substituted “\$100,000” for “\$40,000”.

EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95-570 applicable to any fiscal year beginning on or after Oct. 1, 1978, see section 6(a) of Pub. L. 95-570, set out as a note under section 102 of this title.

§ 104. Salary of the Vice President

(a) The per annum rate of salary of the Vice President of the United States shall be the rate determined for such position under chapter 11 of title 2, as adjusted under this section. Subject to subsection (b), effective at the beginning of the first month in which an adjustment takes effect under section 5303 of title 5 in the rates of pay under the General Schedule, the salary of the Vice President shall be adjusted by an amount, rounded to the nearest multiple of \$100 (or if midway between multiples of \$100, to the nearest higher multiple of \$100), equal to the percentage of such per annum rate which corresponds to the most recent percentage change in the ECI (relative to the date described in the next sentence), as determined under section 704(a)(1) of the Ethics Reform Act of 1989. The appropriate date under this sentence is the first day of the fiscal year in which such adjustment in the rates of pay under the General Schedule takes effect.

(b) In no event shall the percentage adjustment taking effect under the second and third sentences of subsection (a) in any calendar year (before rounding) exceed the percentage adjustment taking effect in such calendar year under section 5303 of title 5 in the rates of pay under the General Schedule.

(June 25, 1948, ch. 644, 62 Stat. 678; Jan. 19, 1949, ch. 2, § 1(b), 63 Stat. 4; Mar. 2, 1955, ch. 9, § 4(c),

69 Stat. 11; Pub. L. 88-426, title III, § 304(a), Aug. 14, 1964, 78 Stat. 422; Pub. L. 91-67, § 1, Sept. 15, 1969, 83 Stat. 106; Pub. L. 94-82, title II, § 203, Aug. 9, 1975, 89 Stat. 420; Pub. L. 97-257, title I, § 105(b), Sept. 10, 1982, 96 Stat. 849; Pub. L. 101-194, title VII, § 704(a)(2)(A), Nov. 30, 1989, 103 Stat. 1769; Pub. L. 101-509, title V, § 529 [title I, § 101(b)(4)(I)], Nov. 5, 1990, 104 Stat. 1427, 1440; Pub. L. 103-356, title I, § 101(2), Oct. 13, 1994, 108 Stat. 3410.)

REFERENCES IN TEXT

The General Schedule, referred to in text, is set out under section 5332 of Title 5, Government Organization and Employees.

Section 704(a)(1) of the Ethics Reform Act of 1989, referred to in subsec. (a), is section 704(a)(1) of Pub. L. 101-194, which is set out as a note under section 5318 of Title 5.

AMENDMENTS

1994—Pub. L. 103-356 designated existing provisions as subsec. (a), substituted “Subject to subsection (b), effective” for “Effective” in second sentence, and added subsec. (b).

1990—Pub. L. 101-509 substituted “5303” for “5305”.

1989—Pub. L. 101-194 substituted “corresponds to the most recent percentage change in the ECI (relative to the date described in the next sentence), as determined under section 704(a)(1) of the Ethics Reform Act of 1989. The appropriate date under this sentence is the first day of the fiscal year in which such adjustment in the rates of pay under the General Schedule takes effect” for “corresponds to the overall average percentage (as set forth in the report transmitted to the Congress under section 5305 of title 5) of the adjustment in such rates of pay”.

1982—Pub. L. 97-257 struck out requirement for payment of salary on a monthly basis.

1975—Pub. L. 94-82 substituted provisions for a rate of salary to be determined under chapter 11 of title 2, as adjusted under this section, with adjustments equal to the percentage of such per annum rate which corresponds to the overall average percentage of the adjustment in such rates of pay for provisions for a per annum rate of salary of \$62,500.

1969—Pub. L. 91-67 increased salary from \$43,000 to \$62,500.

1964—Pub. L. 88-426 increased salary from \$35,000 to \$43,000.

1955—Act Mar. 2, 1955, increased salary from \$30,000 to \$35,000.

1949—Act Jan. 19, 1949, increased salary from \$20,000 to \$30,000.

EFFECTIVE DATE OF 1994 AMENDMENT

Section 101 of Pub. L. 101-356 provided that the amendment made by that section is effective Dec. 31, 1994.

EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by Pub. L. 101-509 effective on such date as the President shall determine, but not earlier than 90 days, and not later than 180 days, after Nov. 5, 1990, see section 529 [title III, § 305] of Pub. L. 101-509, set out as a note under section 5301 of Title 5, Government Organization and Employees.

EFFECTIVE DATE OF 1989 AMENDMENT

Amendment by Pub. L. 101-194 effective Jan. 1, 1991, see section 704(b) of Pub. L. 101-194, set out as a note under section 5318 of Title 5, Government Organization and Employees.

EFFECTIVE DATE OF 1982 AMENDMENT

Amendment by Pub. L. 97-257 effective in the case of compensation payable for months after December 1981,